

Reviews of Books

The Gild Merchant: a Contribution to British Municipal History.
By CHARLES GROSS, Ph.D. 2 vol. (Oxford: Clarendon Press, 1890.)

DR. GROSS'S researches in the somewhat obscure institution of the English Gild Merchant may fairly be termed exhaustive. In the first volume he gives a digest of his information; in the second a vast collection of 'Proofs and Illustrations' and 'Further Proofs and Illustrations,' quotations drawn from the municipal records of a very large number of towns, widely scattered through England, Scotland, Wales, and Ireland. The book, which has been a long time in preparation, has been expected with anxiety by students of economic history. Now that it has been published, however, one must confess to a slight feeling of disappointment. No one can deny the thoroughness of the investigation, or the author's familiarity with his subject. But unfortunately he manages to convey very little of that familiarity to his reader. The book is exhaustive: it is also somewhat exhausting. The book falls naturally, with its two volumes, into two parts, and it is perhaps more convenient to speak of the latter volume, that containing selections from the documents which Dr. Gross has examined, first. It is at any rate a great thing to have got such a mass of information printed and gathered into a form where it can act as a *corpus*, a reference book. For although Dr. Gross's quotations are intended solely to illustrate the gild merchant, they throw side lights on much beside. There is much information about articles of commerce in early times, about relations between the lords of towns and town governments. And the gild merchant itself had functions which, differing in different towns, were as a whole extremely varied, embracing as they did the inspection of all the trades of a town. Thus, although the second volume is not connectedly interesting—and no one could expect that it should be—yet the real student will find information at every turn. But even here one is inclined to think that the author has gone too far. One speaks with natural diffidence on the point; but there seems to be a good deal of repetition, an intolerable deal of 'morghespeche' and assemblies and admissions, where one quotation seems to do nothing but reflect its neighbour. None the less, the quotations as a whole seem to be thoroughly and widely representative, and the labour, well spent on them by the author, will be valued and appreciated by those who are working in the same field.

But the first volume is in many ways unsatisfactory. Again one

cannot but admire the thoroughness and goodness of the work: one is annoyed that the good work has not brought forth better fruit. The subject is one which, despite Dr. Gross, will be regarded by many persons as not over important, and it is a pity that the conclusions reached are not presented in a more attractive, more comprehensible form. The style of the book is somewhat pedantic: it is an exaggeration of thoroughness, a servility, if one may venture to say so, to authorities. If Dr. Gross had explained more clearly what he intended to prove, and proved it with a less copious flood of illustration; or if he had devoted more space to his summings-up, and told us of his own idea of the gild merchant, it would have been better. One cannot hope, with the most careful study of all the illustrations, even to approach the author's knowledge of the subject, and one therefore regrets that he has not seen fit to express more clearly his own conclusions. As it is, the reader carries away no impression of what the gild merchant was; he knows a great many things which it was not, and so by a species of reduction may eventually sift out the truth. This is, however, a cumbersome method.

There is no evidence of the gild merchant in Saxon documents. The first reference is contained in a charter given to the burgesses of Burford in 1087, and a Canterbury document of 1093. The charter is merely a shred containing the words *Gildam mercatorum*. But under Henry I. the institution is not rare, and under his grandsons it is common. The right of having a gild merchant was one of the most valuable privileges of a *liber burgus*, though it was not an essential. It is found in 102 English towns, 80 Welsh, and 88 Irish. London does not appear; but the development of London was, as is well known, abnormal, and the organisation was similar though the name was wanting. If we take the gild merchant of Ipswich as an example, it was governed by an alderman and four associates who were elected under John's charter; it had a monopoly of buying and selling certain things of which stone and marble are mentioned. There was a great diversity however in gild officers. Barnstaple for instance had four ferthingmen, four aldermen, a cupbearer, and a doorkeeper. Books were kept and a common seal. To become a gildsman it was necessary to pay a fee and produce sureties. Offences against rules were punished by fines; there was a good deal of *morghespeche* and 'cups merilly servyng about the hous.' The Winchester men's phrase for holding a meeting was 'to drink the gild merchant.' Good works and devotional exercises also had a place. Among the gildsmen there was a certain liberty of trading, and they had powers to impose tolls on foreigners and prevent those not of the gild from trading at all.

To use Dr. Gross's words, 'the grant of a gild merchant . . . was clearly a concession of the exclusive right of trading within the borough.' Mr. Gross curtly condemns it with an *ipse dixit* as 'an institution that blindly aimed to reduce free competition to a minimum, regarded what we now consider legitimate speculation as a crime, . . . and crushed out every stimulus to extensive production; but as he feels he must 'leave further comments to the political economist,' we are deprived of the chance of having his opinions on the medieval theories of trade and their justice, which is unsatisfactory. The 'preeminent duty of the gildsman was to

be *ad geldam* with the burgesses,' for burgess and gildsman were not the same. They are mentioned as separate, and the gild merchant often included non-residents, who obviously could not be burgesses. Thus the gild merchant of Totnes included the abbots of Buckfastleigh and Torre, who could not be burgesses for more reasons than one. And the converse is true, that a man could be a burgess without being a gildsman; and finally he could live in a town without being either. But distinctions tended to wear away, and in the fourteenth century amalgamation both in administration and constitution became common. The author goes on to combat the view hesitatingly expressed by Madox, and adopted by Brentano and others, that the gild was the basis of the civic constitution. Their arguments rest chiefly on common names such as alderman and gildhall, but Dr. Gross holds them inconclusive, and further indicates that on their hypothesis it is impossible to account for the early position of the gild merchant being a subsidiary one. Nor, further, did the gild merchant in its origin form the vital principle of a *liber burgus*, as is the view of Thompson, Brady, Brentano, and others. Nor, did the grant of a gild merchant merely mean incorporation. Throughout this portion of the book the author is at his best, in his destructive criticism on the defective theories and imperfect information of his predecessors. The same remark applies to his chapter on craft gilds and their relations to the gild merchant, which will perhaps be found the most interesting in the book. He denies the old statement for which Brentano is mainly responsible, that the craft gilds grew up in opposition to the gild merchant, to protect the interests of labour. He has found no evidence of any conflict. Brentano has been led astray by continental analogies. No doubt there were collisions between town authorities and single crafts, but Brentano took a wrong view of the whole matter. The change of the fourteenth and fifteenth centuries was not a widening but a contracting of the town governments. The craft gilds were merely bodies with economic functions for the better disciplining of trade which were recognised or even created by the gild merchant. There is a chapter on merchants staplers and merchant adventurers, and one on the later history of the gild merchant, which still subsists in one English town, Preston. Where the body survived the attacks made on gild properties and retained any real powers, it was narrow and exclusive. The book concludes with a series of appendices on Anglo-Saxon gilds, the hanse, the Scotch gild merchant, and such like. In Scotland the course of development was different: there was a struggle between craft gilds and gilds merchant, north of the Tweed. There is also an interesting chapter on the affiliation of boroughs in which Dr. Gross shows the practice of one town borrowing its constitution from another. Thus, that of Cambridge was taken from Gloucester, which came in turn from Winchester; and the affiliated boroughs used in some cases to refer to its mother city for advice or elucidation of rules.

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